IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33304 of 2008
MITA SINGH @ MITHILESH SINGH @
MITHILESHWAR SINGH
Versus

STATE OF BIHAR
- - - -

2. 8.8.2008 Heard.

The fresh prayer for bail is on the ground that it is not that the petitioner is the only person who is alleged to have fired and killed the deceased, yet another person Raj Kumar Singh is also alleged to have fired shot which particular shot, as stated in the F.I.R., hit the deceased in his head.

The contention is that Raj Kumar Singh has been granted bail and that there was only one injury and if Raj Kumar Singh has been granted bail the petitioner also deserves to be enlarged on bail.

The earlier dismissal order is in one line indicating as if the petitioner were the main assailant of the deceased. The allegation against the petitioner is that he fired shot into the temple of the deceased. The wound which has been described by the Doctor holding the post-mortem examination when considered on its dissection part could

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indicate that temporal bones were found fractured. That probablises the allegation that the shot fired by the petitioner caused the death of the deceased. This could be the reason for refusing the prayer for bail. There does not appear any change as the facts and circumstances remain the same.

The petition is dismissed.

Kanth

(Dharnidhar Jha, J.)

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